

did a lot of work together on the Interior Appropriations Committee. I always found him to be easy to work with, someone who is very set in his views but would tell you how he felt. That has not changed in all of the years I have known him.

The reason I admire and respect DON NICKLES is I do not agree with a number of things he wants to do politically and tries to do politically, but he believes in those things. These are ideological feelings he has, and I have great respect for people who do things based on ideology. So I am going to miss DON NICKLES in this capacity, and I want him to know that I have great admiration and respect for him, and I consider the friendship we have developed over the years as something that is very important to me.

I say to MITCH MCCONNELL, who is going to take his place, that I welcome him. He will be assistant to the Republican leader, Senator LOTT, and will do a good job for him, but also for the Republicans generally. I have told him this personally and I say publicly, anything I can do to help the transition to make it more smooth, I will be happy to do that.

MITCH MCCONNELL is someone whom I have gotten to know. MITCH MCCONNELL has held different leadership positions on the other side, including having been the campaign chairman, where he did an excellent job. He served in other capacities with the Republicans. A lot of times I disagree with what MITCH MCCONNELL does politically, but he never hides his feelings from anybody. Campaign finance reform: There was a train moving down the track, and he was the only one brave enough to stand in front of it, and he never left. I have admiration for his stand on that issue, even though I disagree with what he wanted to try to do.

So I will miss DON NICKLES. I welcome Senator MCCONNELL. I have great respect for his abilities and look forward to working with him.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate, at 4:17 p.m., recessed until 5:40 p.m. and reassembled when called to order by the Presiding Officer (Mr. DAYTON).

#### UNEMPLOYMENT INSURANCE EXTENSION

Mr. DASCHLE. Mr. President, I come to the floor to make one final plea with regard to unemployment compensation. It is important to remember what the Senate has done as we reflect back over the last many months in our efforts to deal with this issue.

We offered an amendment that was sponsored by our departed, distin-

guished Senator Paul Wellstone. That legislation was the same as legislation that Congress passed when the first President Bush was in office in the early 1990s. We tried to pass it. Unfortunately, it was blocked by our Republican colleagues on eight different occasions.

Again, let me repeat. That was what we had in place when the first Bush administration was in office. Unemployment benefits that were actually extended three times when President Bush Sr. was in office.

The Senate then took up a bipartisan compromise to extend benefits for just 3 months. Republicans and Democrats got together. On the 14th of November we passed a simple extension for 3 months. Once again, the House refused to act.

So we took what was originally acceptable to the senior Bush administration, and that didn't work with the House. Then we passed what worked on both sides of the aisle here in the Senate for a simple 3-month extension, and that too didn't work for the House.

Over the course of the last 48 hours, we have been involved with House leadership, asking if there was any possible compromise, any way that we could extend it for 2 months, 1 month, any way that somehow we could send a message to the almost one million people who will lose their benefits on the 28th of December and to the 95,000 people who will lose them each week following the 28th of December. Hundreds of thousands of people, ironically, right over the Christmas holidays will lose any opportunity to provide for their families with unemployment insurance.

I must say I am disappointed to announce to my colleagues that once again our House Republicans said no.

I have to say that I think it is a story right out of Charles Dickens. I can't imagine that under these circumstances, even for a month, they couldn't see fit to act. Ebenezer Scrooge had a last-minute conversion. I hope that our Republican colleagues in the House will do so.

They are coming back on Friday and the Senate's bipartisan 3-month extension is waiting. I would urge the President—I ask President Bush—to call on the House Republican leadership to recognize the consequences of their inaction and pass our bipartisan unemployment extension.

We were, as I said, prepared to take whatever action necessary. We would have stayed in session if we had to to accommodate something that the House could have done to extend those benefits for a couple of months, which would have allowed us to work out something for a longer period of time.

That is my plea, my hope, recognizing, as I say, that hundreds of thousands of people will be affected at the worst possible time of the year.

I again renew that request. I urge the President to act. I urge our House colleagues to reconsider.

Mr. FITZGERALD. Mr. President, I want to call upon the House to act on

the unemployment insurance compensation relief that we have passed in this body. I have been a cosponsor with other Members on this side of the aisle, as well as Senators CLINTON and SARBANES on the Democratic side.

I think we need to pass the legislation over in the House which has already cleared this body. If we do not, benefits are going to fall off the cliff on December 28, as the majority leader stated. I hope the House will take up that important legislation and at least extend the benefits until we can come back and deal in the new year with this issue.

#### PRESIDENTIAL AUTHORITY TO INTRODUCE ARMED FORCES INTO IRAQ

Mr. BYRD. Mr. President, earlier this year, I wrote to a number of constitutional scholars advising them that I was concerned about reports that our Nation was coming closer to war with Iraq. I asked a number of esteemed academics their opinion as to whether they believed that the Bush administration had the authority, consistent with the U.S. Constitution, to introduce U.S. Armed Forces into Iraq to remove Saddam Hussein from power.

All of the scholars I consulted responded by stating that, under current circumstances, the President did not have such authority. Several of the professors I consulted, namely Peter Raven-Hansen of George Washington University Law School, and Philip Trimble, Professor Emeritus of the UCLA School of Law, were kind enough to call and discuss their views on this subject with my office. I would like to take this opportunity to thank them for taking the time to provide me with their thoughts on this matter.

While those professors contacted me by phone, others provided written responses. I have previously submitted for the RECORD the responses of professors Michael Glennon of the Fletcher School of Law and Diplomacy at Tufts, Jane Stromseth of Georgetown University Law Center, Laurence Tribe of Harvard Law School, and William Van Alstyne of the Duke University School of Law.

Now, I would like to submit four additional responses I received on this same subject from professors Jules Lobel of the University of Pittsburgh School of Law, Thomas M. Franck of the New York University School of Law, Bruce Ackerman of Yale Law School, and Larry Sabato of the University of Virginia. I found their analyses of this important issue to be exceptionally learned and informative. For this reason, I ask unanimous consent that their responses be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows: